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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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CRIMINAL PRODUCTIONS, INC.,

Plaintiff,

v.

TROY REIGER, et al.,

Defendants.

**ORDER RE ORDER TO SHOW CAUSE  
AND SETTING CASE DEADLINES**

Case No. 2:17-cv-00550-DN

District Judge David Nuffer

The Order to Show Cause Re: Failure to Timely Effectuate Service and Lack of Prosecution was entered on May 22, 2020 (“OSC”).<sup>1</sup> In response to the OSC, plaintiff Criminal Productions, Inc. (“Plaintiff”) filed a Status Report as to each remaining Defendant in the case.<sup>2</sup>

Plaintiff reported, among other things, that Defendant Vance Ure (“Ure”) is currently participating in settlement negotiations, and has been granted an open-ended extension of time for responding to the Amended Complaint during good faith settlement discussions. If the settlement discussions are unsuccessful or counsel requests discovery, Plaintiff intends to proceed with discovery.<sup>3</sup>

IT IS HEREBY ORDERED that the OSC is SATISFIED.

IT IS FURTHER ORDERED:

- 1) On or before Friday, November 6, 2020, Plaintiff shall inform Ure that the deadline for answering or otherwise responding to the Amended Complaint is November 13,

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<sup>1</sup> Docket no. 104, filed May 21, 2020.

<sup>2</sup> Docket no. 107, filed June 12, 2020.

<sup>3</sup> *Id.*

2020; otherwise, Plaintiff's claims against Ure will be dismissed, without further notice, for failure to prosecute. On or before November 6, 2020, Plaintiff must file a notice certifying the manner in which Ure was notified of the November 13, 2020 deadline to file an answer or other response to the Amended Complaint.

- 2) In the event that Ure does not answer or otherwise respond to the Amended Complaint on or before the November 13, 2020 deadline, Plaintiff shall file a motion for entry of default certificate on or before Friday, November 20, 2020, and a motion for entry of default judgment within 14 days after the Clerk's entry of a default certificate;<sup>4</sup> otherwise, Plaintiff's claims against Ure will be dismissed, without further notice, for failure to prosecute.
- 3) In the event that Ure does answer or otherwise respond to the Amended Complaint on or before the November 13, 2020 deadline, on or before November 20, 2020,
  - a. Plaintiff shall meet and confer with Ure and file an attorney planning meeting report with a proposed scheduling order including a statement as to whether the parties agree to a bench trial, and if not, whether they agree to a trial by a six-member jury;<sup>5</sup> or
  - b. Plaintiff must file a notice of dismissal or a dispositive motion. The response to any such dispositive motion must be filed within 14 days and the reply must be filed within 7 days thereafter;otherwise, Plaintiff's claims against Ure will be dismissed, without further notice, for failure to prosecute.

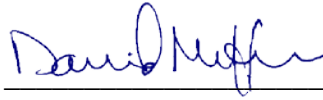
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<sup>4</sup> This provision does not override the mandate that "[n]o motion for default judgment shall be filed unless a certificate of default has been entered by the clerk." [DUCivR 55-1\(b\)](#).

<sup>5</sup> It is anticipated that any trial will be by electronic means due to the COVID-19 pandemic.

Signed October 30, 2020.

BY THE COURT

A handwritten signature in blue ink, appearing to read "David Nuffer", is written over a horizontal line.

David Nuffer  
United States District Judge